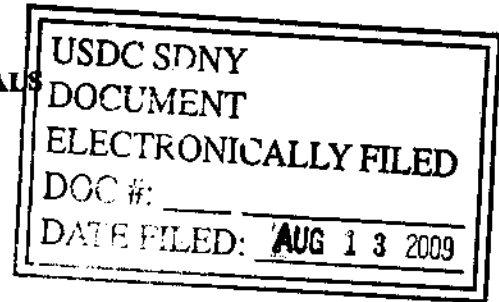


SDNY/NYNY
06-cv-4880
Castel, J.UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUITBADAR AL-AWADI, HALAL
MUHAMMAD AL-SHAITAN,

Appellants,

v.

VISHRANTHAMMA SWARNA

Appellee.

Docket No.: 09-2525-cv

**STIPULATION WITHDRAWING APPEAL FROM ACTIVE CONSIDERATION,
WITHOUT PREJUDICE, WITH LEAVE TO REACTIVATE**

The undersigned counsel for the parties hereby stipulate and agree as follows:

1. The above-captioned appeal is hereby withdrawn without costs and without attorneys' fees and without prejudice, subject to reactivation of the appeal by appellants' counsel by written notice to the Clerk of this Court within 30 days after this Court docket the cross-appeal of the district court's entry of final judgment as to plaintiff-appellee's claims against the State of Kuwait or by October 22, 2009, whichever comes sooner.
2. If not timely reactivated as set forth in the preceding paragraph, the appeal shall be subject to dismissal.
3. Withdrawal of the appeal from active consideration shall not operate as a dismissal of the appeal under F.R.A.P. 42(b).
4. The undersigned further stipulate that an electronic signature or facsimile signature of this document shall be sufficient as an original.

CERTIFIED:

AUG 12 2009

Dated: August 4, 2009

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Dated: August 4, 2009

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So ordered.
FOR THE COURT
Catherine O'Hagan Wolfe, Clerk of Court
By Vidya Kurella
Vidya Kurella, Staff Counsel

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by [Signature]
DEPUTY CLERK

CERTIFICATE OF SERVICE

I, Catherine J. Rosato, hereby certify that service of the foregoing Stipulation
Withdrawing Appeal From Active Consideration, Without Prejudice, With Leave To Reactivate
was made on all counsel of record by e-mail and first class mail on the 4th day of August, 2009,
on the following:

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